IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1139/06

Tukaram Mahadu Nagare .....Applicant

V/s.

The state of Maharashtra .... Respondent

Shri.Balkrishna Joshi for the applicant

Miss.Rajeshree M.Gadhavi APP for the State

CORAM : V.M. KANADE, J.

DATE : 03/04/06

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. Applicant has an apprehension that he is likely to be arrested in connection with C.R.No.33/06 for the offences punishable U/s.420, 468, 471, 506 of IPC and U/s.32(b) and 33(a) of Bombay Money Lenders Act.

3. It is alleged that applicant is carrying on money lending business illegally and that he had

obtained a loan from complainant and he had executed documents which were meant to be towards security for said loan which was granted.

4. Learned Counsel for applicant has invited my attention on the registered sale deed which was executed by complainant and applicant in the year 1992. On 19/10/1992 complainant had sold his undivided shares of two hectors for lawful consideration. Complaint is lodged after 14 years. Learned APP is unable to explain the delay which was caused in lodging complaint. I have perused the complaint. In my view considering the registered sale deed which was executed by the complainant in the year 1992, prima facie case is made out for anticipatory bail.

5. Considering the facts and circumstances of this case, in my view, applicant is liable to be released on anticipatory bail.

6. The applicant be released on bail in the sum of Rs.10,000/- with one or two sureties in like amount in the event of arrest of the applicant in connection with C.R.No.33/06 for the offences

punishable U/s.420, 468, 471, 506 of IPC and U/s.32 (b) and 33(a) of Bombay Money Lenders Act.

7. The applicant shall report to Ghoti Police Station, Tal: Igatpuri, Dist:Nashik twice in a month as and when called till chargesheet is filed.

8. Application is accordingly disposed of.

V.M. KANADE, J.